

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7139

BILL NUMBER: HB 1357

NOTE PREPARED: Feb 19, 2007

BILL AMENDED: Feb 15, 2007

SUBJECT: Commercial Motor Vehicles.

FIRST AUTHOR: Rep. Tincher

FIRST SPONSOR:

BILL STATUS: 2nd Reading - 1st House

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill:

- (1) incorporates certain federal regulations pertaining to commercial motor vehicles into Indiana law;
- (2) corrects a reference to a federal agency concerning commercial motor vehicles;
- (3) amends an exemption from federal regulations to intrastate operators of construction vehicles;
- (4) repeals language concerning the use of a farm truck, farm trailer, or farm semitrailer and tractor for the transportation of seasonal fruit or vegetables;
- (5) authorizes certain persons who are not State Police officers to enforce violations of certain laws pertaining to trucks and trailers having a declared gross weight of at least 10,001 pounds. (Current law sets the declared gross weight threshold at 11,000 pounds.); and
- (6) makes a conforming amendment.

Effective Date: Upon passage.

Explanation of State Expenditures:(Revised) (1) Incorporating certain federal regulations into Indiana law will mean that Indiana will be in compliance with the federal motor carrier regulations. The State Police report they receive approximately \$4.2 M per year in federal funds for certain motor carrier activities and that remaining out of compliance would jeopardize between 10% and 50% of these funds.

Explanation of State Revenues: (3) Amending a federal exemption regarding the operation of construction vehicles may reduce the number of Commercial Drivers Licenses (CDLs) which are issued. The fee for a CDL is \$30, with \$15 deposited into the Motor Vehicle Highway Account; \$14.50 deposited with Bureau of Motor Vehicles Commission, which supports the state license branches, and \$0.50 into the BMV Technology Fund.

(4) Repealing language concerning the use of a farm truck, farm trailer, or farm semitrailer and tractor for the transportation of seasonal fruit or vegetables may increase the number of CDLs.

Fund	Uses
Motor Vehicle Highway Account	Construction, reconstruction, and maintenance, along with supporting the BMV, the State Police, the Dept. of Transportation, and the State Department of Revenue
BMV Commission	Support the operation of the license branches throughout the state
BMV Technology Fund	Upgrade technology at the BMV

(5) Authorizing certain persons who are not State Police officers (i.e., motor carrier inspectors) to enforce violations of certain laws pertaining to trucks and trailers having a declared gross weight of at least 10,001 pounds could mean additional revenue for any violations found. In CY 2004, there were 12,700 such vehicles.

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Bureau of Motor Vehicles; State Police.

Local Agencies Affected:

Information Sources: Capt. Sherry Beck, Indiana State Police, 317-234-4217.

Fiscal Analyst: James Sperlik, 317-232-9866.